

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

ILLINOIS CENTRAL RAILROAD COMPANY

PLAINTIFF

V.

CIVIL ACTION NO. 5:06-CV-160 DCB-JMR

**WILLIE R. HARRIED, WARREN R. TURNER,
WILLIAM S. GUY and THOMAS W. BROCK**

DEFENDANTS

**PURSUANT TO LOCAL RULE 79 AND FEDERAL RULE OF EVIDENCE 502(d), IT IS
ORDERED THAT:**

1. Plaintiff Illinois Central Railroad Company filed a motion for attorney fees (D.E. 259) and, in support thereof, provided the Court and counsel for Defendants Guy and Brock certain attorney invoices ("invoices").
2. The Court finds that Plaintiff has not waived the attorney-client privilege or work product protection for the invoices other than to the extent provided in this Order, and pursuant to Rule 502(d) of the Federal Rules of Evidence:
 - a. Orders that the invoices produced by Plaintiff in support of its motion for attorney fees are to be used solely for the purposes of litigating the motion, including any appeal of same;
 - b. Orders Defendants' attorneys of record and Defendants to ensure that the invoices are not used, shown or distributed for any purpose other than litigating Plaintiff's motion for attorney fees, including any appeal of same;
 - c. Orders that Plaintiff's production of the invoices pursuant to this Order for the limited purpose of supporting Plaintiff's motion for attorney fees shall not be deemed a waiver of the privilege or work product protection in the invoices or in any other documents or information for any purpose or in any federal, state or other proceeding other than this litigation.
3. The Court further finds that the invoices and any exhibits referencing or summarizing said invoices should be filed with the Court under seal pursuant to the procedures set forth in Uniform Local Rule 79 and the Administrative Procedures of the Court.

SO ORDERED, THIS THE 19th DAY OF MAY, 2010.

s/ David Bramlette
UNITED STATES DISTRICT COURT JUDGE

Submitted by:

s/ Tanya D. Ellis

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